

Contract No. 18-133-000
Surveying and Mapping, LLC (SAM)
Assignment No. 5
Project Number: 20-024-2517

**INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
SURVEYING AND MAPPING, LLC (SAM)**

TFC CONTRACT NO. 18-133-000

ASSIGNMENT NO. 5

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 5

(hereinafter referred to as “Assignment No. 5” or “Assignment”) is entered into by and between the **Texas Facilities Commission**, located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as “TFC”) and **Surveying and Mapping, LLC (SAM)**, located at 4801 Southwest Parkway, Building Two, Suite 101, Austin, Texas 78735 (hereinafter referred to as “PSP”) (TFC and PSP are hereinafter referred to individually as a “Party” or collectively as “Parties”), to be subject to the terms and conditions that follow.

1.0. **DESCRIPTION OF PROJECT:** The project for which PSP agrees to provide Professional Services is generally described as a limited site utility investigation at Camp Hubbard, located at 4000 Jackson Avenue, Austin, Texas (hereinafter referred to as the “Project”), as further depicted in **Exhibit A**, PSP’s IDIQ Assignment No. 5 Proposal No. 1020058830, dated November 9, 2020, attached hereto and incorporated herein for all purposes and consisting of five (5) pages.

2.0. **DURATION OF ASSIGNMENT:** The scope of services of this Assignment No. 5 shall be completed no later than May 31, 2021, unless terminated earlier as provided in Section 3.2 of the Agreement. The schedule is subject to adjustments for possible time extension; however, any extension of time must be approved by the TFC and shall require an amendment to Assignment No.5.

3.0. **SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT:** Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 5.

4.0. **SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT:** PSP shall perform the services under this Assignment No. 5 with its own forces unless otherwise specified. If the scope of services is less than \$100,000.00, a HUB Subcontracting Plan (HSP) is not required. If the scope of services will exceed \$100,000.00, PSP shall submit an HSP for approval pursuant to Section 11.2 of the Agreement.

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5.0. FEE FOR BASIC SERVICES: Fee for the services set forth in this Assignment No. 5 shall not exceed the sum of Five Thousand Five Hundred Sixteen and 00/100 Dollars (\$5,516.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services performed and reasonable and necessary costs and expenses incurred through the last day of the previous month. Any reimbursable expenses, if allowed, shall be in accordance with Section 4.6 of the Agreement.

6.0. IDENTIFICATION OF PSP PROJECT MANAGER AND ALL SUBCONTRACTOR: (a) For this Assignment No. 5, PSP shall identify the Project Manager, PSP's employees and all subcontractors assigned to this project on the List of Project Manager and Subcontractors (hereinafter referred to as the "List"), attached hereto and incorporated herein for all purposes as **Exhibit B**.

(b) TFC reserves the right to approve the appointment of the PSP Project Manager and to demand that the Project Manager, and any of PSP's employees or subcontractors, be removed and replaced if, in the sole opinion of TFC, their performance on this project or any other projects, is and/or was inadequate or their continued involvement with the Project is, will, or has become detrimental to the timely and successful completion of the project.

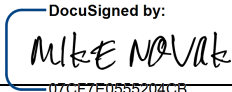
(c) The Project Manager and Subcontractors identified in the List shall not be replaced by PSP, nor shall any other subcontractors be engaged by PSP, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed.

7.0 ENTIRE AGREEMENT AND MODIFICATION: The Agreement and this Assignment and their integrated attachment(s) constitute the entire agreement of the Parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Assignment specifically displays a mutual intent to amend a particular part of this Assignment, general conflicts in language between any such attachment and this Assignment shall be construed consistently with the terms of this Assignment. Unless otherwise expressly authorized by the terms of this Assignment, no modification, renewal, extension, or amendment to this Assignment shall be binding upon the Parties unless the same is in writing and signed by the respective Parties hereto.

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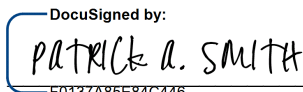
This Assignment shall be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION SURVEYING AND MAPPING, LLC (SAM)

By:  07CF7E0555204CB...

Mike Novak

Executive Director

By:  F0137A85E84C446...

Patrick A. Smith

Vice President

Date of execution: 12/03/2020 | 11:01 AM CST Date of execution: 12/03/2020 | 10:36 AM CST

PM 

DGC 

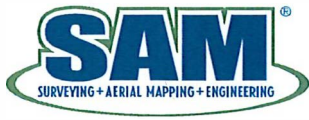
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EXHIBIT A

**PSP'S IDIQ ASSIGNMENT NO. 5 PROPOSAL NO. 1020058830
DATED NOVEMBER 9, 2020**



Surveying And Mapping, LLC
4801 Southwest Parkway, Building Two, Suite 100, Austin, TX 78735
Ofc 512.447.0575 Fax 512.326.3029
info@sam.biz www.sam.biz TX Firm # 10064300

Via Email: dorothy.spearman@tfc.state.tx.us

November 9, 2020

Texas Facilities Commission
Facilities Design & Construction
1711 San Jacinto Boulevard
Austin, TX 78701
c/o Dorothy Spearman, Senior Project Manager

**Re: 4000 Jackson Avenue
Austin, Texas
SAM Proposal No. 1020058830**

Dear Ms. Spearman:

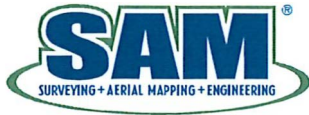
Surveying And Mapping, LLC (SAM) is pleased to provide this proposal to Texas Facilities Commission, for professional services in connection with the above referenced project shown on **Exhibit "A"**. Based upon our correspondence and discussions, we have prepared the attached Scope of Services.

We appreciate the opportunity to submit this proposal and we look forward to working with you on this very important project. If you should have any questions or require any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashlin Day", is written over a blue horizontal line.

SURVEYING AND MAPPING, LLC
Ashlin Day
SUE Project Manager



**SCOPE OF SERVICES AND ESTIMATED FEE
4000 JACKSON AVENUE, AUSTIN, TEXAS
UTILITY INVESTIGATION**

PROJECT OVERVIEW

Surveying And Mapping, LLC (SAM) proposes to perform a utility investigation to support construction to Texas Facilities Commission (Client). The project is located at 4000 Jackson Avenue, Austin, Texas.

ASSUMPTIONS

The following assumptions were made for the preparation of this Scope of Services. If these assumptions do not prove correct, a modification to the scope and budget for this project may be required.

- The accuracy of subsurface data can be influenced by factors beyond our control such as conductivity of materials and their surroundings, soil moisture content, proximity of other underground utilities or structures, depth of utility, etc. Therefore, only the accuracy of data obtained by actual physical verification (through vacuum excavation or otherwise) can be guaranteed to applicable engineering and/or surveying standards.
- Paint markings placed on the ground by SAM are to be used for design purposes only, not for construction. The use of designating information provided does not relieve any contractor or the TFC from the duty to comply with applicable utility damage prevention laws and regulations, including, but not limited to, giving notification to utility owners or One-Call centers before excavation. SAM will not be responsible for any omission of utility information that is not obtainable via electromagnetic, sonic, or acoustical designating methods.
- Non-metallic piping such as PVC irrigation lines, clay/concrete piping, inactive electric and/or communication lines may or may not be found by electromagnetic, sonic or acoustical designating practices. SAM does not warrant and/or guarantee that all existing utilities will be found.
- The Client will provide a DGN or DWG electronic file of recent 2D planimetric mapping showing the existing right-of-way and/or easements, etc. and/or limits of the subsurface utility information to be collected. This file will be used as background information and as part of our deliverables to the Client for this project.
- The scope of services for this project does not include SAM establishing and/or re-establishing existing horizontal and vertical control. If this work is required, it will be provided as an additional service.
- The Client will provide all site control data prior to project mobilization.
- The Client will provide SAM with record information and profile drawings of all the utilities within the project site the Client has available.
- Survey Feature Codes will be shown as per SAM current Feature Library and Line Styles.



- SAM is to provide Services only within the area shown on Exhibit A.
- SAM will not be working in any hazardous or contaminated areas. If SAM employees on site discover hazardous or contaminated areas in the course of their work, they will cease work and SAM will coordinate with the Client immediately.
- All work will be performed during daytime hours.
- The Client will be the liaison for the SAM field crews to access the Project Work Area.
- SAM will be notified, prior to mobilizing of any special requirements for access and the performance of the work on the project.
- SAM Personnel will have unrestricted access to the work areas on a ten (10) hour per day basis for each day approved to perform work.
- SAM will provide normal traffic control for designating services. This includes standard placement of traffic cones, freestanding warning signage and vehicle-mounted traffic directional sign. Traffic control requiring lane closures, traffic detouring, flagging operations, police, etc., are considered special traffic control measures. If special traffic control is to be provided by SAM this service will be subcontracted to an approved subcontractor and billed to the Client at cost.
- It is assumed that permitting will not be required to conduct this work and any time and cost associated with permitting through any authority are not included in this fee.

SCOPE OF SERVICES

Utility Investigation - Designating Service - Designating is to indicate, by marking with paint, the presence and approximate horizontal location of subsurface utilities using geophysical prospecting techniques. SAM will provide the following designating services to aid the Client in the design of site, ROW, construction plans or project development plans, or for other purposes as agreed to by the parties. SAM will:

- Provide utility investigation and designating within the project limits, as depicted in Exhibit A.
- Provide all equipment, personnel and supplies required for performing designating services. SAM shall determine which equipment, personnel and supplies are required to perform these toning services.
- Designate the existing underground utilities as found during the course of investigation. Utilities which may consist of water, wastewater, gas, petroleum pipelines, telephone, fiber optics, cable TV, and electrical utilities within the project area previously described.
- Conduct appropriate investigation of site conditions.
- Mark the utilities on the ground to be surveyed. SAM will provide survey crew to collect all field data marked by SAM designating crews only.
- Analyze and correlate all of the field-collected information with Client provided record information for ensuring continuity of the information collected.



PROJECT DELIVERABLES

A 2D AutoCAD or DGN file depicting all designated utilities will be prepared for this project. No hardcopy deliverables will be prepared. The utilities shown in the CAD deliverable will be referenced by the type of utility, color coded to American Public Works Association standards.

PROJECT SCHEDULE

SAM will start the designating service described previously within ten (10) working days from the notice to proceed and approval of any badging or clearance requirements for site access. The designating field work is estimated to be complete in one (1) day, the survey field work is estimated to be complete in one (1) day, and the office processing is expected to be completed in five business (5) days following completion of the field work and receipt of electronic file of 2D planimetric mapping. The project schedule does not reflect inclement weather or work stoppage beyond the control of SAM.

FEE SCHEDULE

The fee for the previously described scope of services will be billed to the Client as follows:

Total Estimated Fee for Utility Mapping Services: \$5,516.00

Thank you for the opportunity to provide you with this scope of service and associated fee for providing utility designating services. We are looking forward to working with you and your staff on this important project. If there are any questions concerning the information presented or if we can be of additional assistance please feel free to contact us.

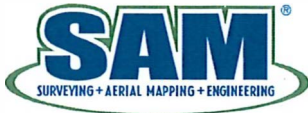
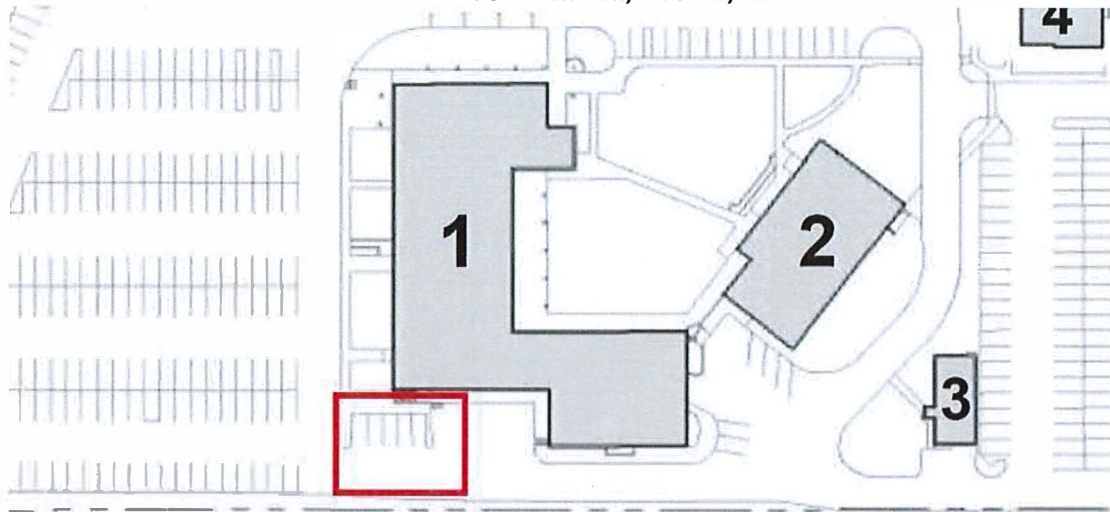


EXHIBIT "A"

4000 JACKSON AVENUE, AUSTIN, TX



MoPac

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Surveying and Mapping, LLC (SAM)
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EXHIBIT B

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

TFC Contract No. 18-133-000
Assignment 5

EXHIBIT B

Surveying and Mapping, LLC (SAM)

**LIST OF PSP PROJECT MANAGER
AND
SUBCONTRACTORS
(Name, Company Name, Address & Contact Person (Project Manager))**

A. PSP Project Manager:		Ashlin Day _____ (Name) Surveying and Mapping, LLC (SAM) _____ (Company) 4801 Southwest Pkwy. Bldg. 2 Ste. 100 Austin, TX 78735 _____ (Address) 512-895-5053 _____ (Cell #) aday@sam.biz _____ (Email)
B. Subcontractors:		
	1.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)
	2.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)
	3.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)
	4.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)